

EXHIBIT A

MARGARITO T. LOPEZ, ET AL. vs CITY OF LOS ANGELES, ET AL.

Confidential

Jose Zavala on 07/27/2023

1 UNITED STATES DISTRICT COURT

2 CENTRAL DISTRICT OF CALIFORNIA

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4 MARGARITO T. LOPEZ, SONIA TORRES,)
KENI LOPEZ, ROSY LOPEZ,)

5)
Plaintiffs,)

6)
vs.)Case No.

7)2:22-CV-07534-FLA-MAA

CITY OF LOS ANGELES, JOSE ZAVALA,)
8 JULIO QUNITANILLA, and DOES 1 through)
10, inclusive,)

9)
Defendants.)

10 _____)

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13 [CONTAINS CONFIDENTIAL TESTIMONY PORTIONS]
14 [PAGES 37-39 BOUND SEPARATELY]

15 REMOTE VIDEOCONFERENCE DEPOSITION OF

16 JOSE ZAVALA

17 THURSDAY, JULY 27, 2023

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23 Reported Stenographically By:

24 Jinna Grace Kim, CSR No. 14151

25 Job No.: 459255

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1 A. Can you repeat that, sir?

2 Q. Sure. During that seven or eight minutes, did you
3 hear him verbally threaten to harm any of the officers?

4 A. No, sir.

5 Q. Did you hear him verbally threaten to harm any
6 individuals in the area?

7 A. Prior from us arriving to the location, we received
8 a radio call by citizens that he was chasing citizens with a
9 butcher knife, threatening them with a butcher knife, the
10 same butcher knife that he had in hand.

11 Q. Let me just make sure you understand my question.
12 Right now I'm just talking about the seven or eight
13 minutes that you were watching him.

14 A. Okay.

15 Q. And then I'll ask you about the information you had
16 beforehand.

17 A. Yes, sir.

18 Q. Okay. So during the seven or eight minutes that you
19 were watching him, did you hear him verbally threaten to harm
20 anyone?

21 A. Himself, cutting his throat in his hand.

22 Q. Right. But did you hear him say, "I'm going to hurt
23 you, I'm going to kill you," or anything like that to any
24 other person?

25 A. No, sir. He was just mumbling stuff, no, sir.

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1 staircase, sir.

2 Q. And you've already told me, I think, you didn't see
3 him chasing anyone around with a knife, did you?

4 A. No, sir.

5 Q. In fact, your observations of him were that he might
6 be having some type of a mental health crisis; is that
7 fair?

8 A. No, sir.

9 Q. Well, in your statement you said he was mumbling to
10 himself and seemed distraught?

11 A. Yes. Possibly under the influence of an unknown
12 controlled substance.

13 Q. Do you recall in your statement saying that you saw
14 him talking to himself?

15 A. Yes, sir.

16 Q. Do you recall in your statement you heard him
17 mumbling?

18 A. Yes, sir. Consistent to somebody being under the
19 influence of unknown controlled substance, yes, sir.

20 Q. Right now I'm not talking about what it's consistent
21 with.

22 A. Yes, sir.

23 Q. I'm asking if you said that in your statement, that
24 he was talking to himself, mumbling, and appeared distraught.

25 A. Yes, sir.

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1 is experiencing a mental health crisis?

2 A. From my experience when they're possibly under the
3 influence of an unknown controlled substance, they start
4 cutting themselves, they start mumbling which is how Mr.
5 Margarito Lopez was.

6 So my perspective, it appeared he was under the
7 influence of a controlled substance.

8 Q. You thought he was talking to God trying to get the
9 courage to cut his throat?

10 That's what you said in your statement; is that
11 what you thought at the time?

12 A. He was cutting his throat, sir, and mumbling and
13 talking about God. He was doing it.

14 Q. Right. And you said in your statement it appeared
15 when he was talking to God, he was trying to get the courage
16 to cut his throat.

17 Do you remember saying that?

18 A. Yes, sir, I remember.

19 Q. And you told him several times you were there to
20 help him out; is that right?

21 A. Correct, yes, sir.

22 Q. When was the last time you told him you were there
23 to help him out before you shot him?

24 A. Right before that, sir.

25 Q. So you told him you were there to help him out right

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1 **Q. And that appeared to strike him in the chest?**

2 A. Strike him in the chest, and nothing fazed him.

3 It just bounced right off his chest, sir.

4 I seen these 40-millimeter rounds knock down people
5 over six-feet, over 200 pounds, and this round just bounced
6 off his chest. Mr. Margarito Lopez's moderate stature didn't
7 even faze him. It just bounced off his chest.

8 **Q. How soon after that did he sit down?**

9 A. Which led me to believe he was possibly under the
10 influence of a controlled substance.

11 **Q. Were you trained you can shoot someone who you think**
12 **is under the influence?**

13 MS. BUSAILAH: Objection. Misstates his testimony;
14 incomplete hypothetical.

15 BY MR. GALIPO:

16 **Q. I'm just asking you because you keep saying that**
17 **about ten times so far; that you thought he was under the**
18 **influence of a controlled substance.**

19 Were you trained that you can shoot someone if you
20 think they're under the influence?

21 A. Well, depends, sir. If he's posing a threat to us
22 trying to cause death or serious bodily injury, yes, sir, we
23 can.

24 **Q. I see. And that would have to an immediate threat**
25 **of death or serious bodily injury; correct?**

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1 A. Extremely important, yes, sir.

2 Q. Less-lethal, were you trained that's important in
3 these situations?

4 A. Extremely important, yes, sir.

5 Q. And I think you said distance plus cover equals
6 time?

7 A. Yes, sir.

8 Q. That's part of your training; right?

9 A. Correct, yes, sir.

10 Q. That's why you were taking cover; correct?

11 A. That's why we were taking cover where we were at,
12 yes, sir, correct.

13 Q. And that's why you had distance also; correct?

14 A. Yes, sir. Just to a certain extent because he had
15 already was chasing people, citizens, with a butcher knife.

16 So we couldn't redeploy any further.

17 Q. Well, you never saw him chasing anyone, did you?

18 A. Citizens were calling, sir.

19 Q. No. I'm asking if you saw that.

20 A. No, I didn't see it. But we received radio calls.

21 Q. And did you decide where to put your patrol vehicle,
22 or did someone else tell you where to put it?

23 A. No, sir. That where -- that's what I decided to,
24 sir.

25 Q. Okay. And so you told me about the importance of

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CERTIFICATE

OF

CERTIFIED STENOGRAPHIC SHORTHAND REPORTER

I, JINNA GRACE KIM, CSR No. 14151, a Certified
Stenographic Shorthand Reporter of the State of California,
do hereby certify:

That the foregoing proceedings were taken before me
at the time and place herein set forth;

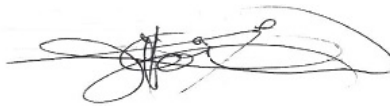
That any witnesses in the foregoing proceedings,
prior to testifying, were placed under oath;

That a verbatim record of the proceedings was made
by me, using machine shorthand, which was thereafter
transcribed under my direction;

Further, that the foregoing is an accurate
transcription thereof.

I further certify that I am neither financially
interested in the action, nor a relative or employee of any
attorney of any of the parties.

IN WITNESS WHEREOF, I have subscribed my name, this
date: July 27, 2023.



Jinna Grace Kim, CSR No. 14151